

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-16 are pending in this case. Claims 1-9 and 11-16 are amended by the present amendment and add no new matter. For example, amended Claims 1, 2, 12, and 13 are supported by the specification,¹ and amended Claims 3-9, 11, and 14-16 are supported by the original claims.

In the outstanding Office Action the specification was objected to for containing informalities. Claims 10 and 11 were rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 1, 10, 11 and 12 were rejected under 35 U.S.C. §102(e) as being anticipated by Nakajo (U.S. Patent No. 6,504,806, hereinafter "Nakajo '806"). Claims 2-5 and 13-16 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakajo '806 in view of Iijima et al. (Japanese Patent No. JP01119921, hereinafter "Iijima"). Claims 6-9 were rejected under 35 U.S.C. §103(a) as unpatentable over Nakajo '806 and Iijima in further view of Nakajo (U.S. Patent Application Publication No. 2002/0089914).

In response to the objection to the specification, the specification has been amended to correct the cited informalities. Accordingly, the objection to the specification is believed to have been overcome.

With regard to the rejection of Claims 10 and 11 under 35 U.S.C. §112, second paragraph, Claim 1 has been amended to provide antecedent basis for the terms in Claims 10 and 11. Accordingly, Applicants submit that Claims 10 and 11 are in full compliance with all requirements under 35 U.S.C. §112, second paragraph. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned.

¹See e.g. the Specification at page 11, line 11 to page 13, line 15 and Figure 8

Claims 1, 10, 11 and 12 were rejected under 35 U.S.C. §102(e) as anticipated by Nakajo '806. To the extent the present rejection applies to amended Claims 1 and 12, Applicants respectfully traverse the rejection.

Amended Claim 1 recites:

recording pulse generating means for setting a recording power at approximately the leading end portion of a recording pulse in steps of a plurality of stages and for generating a recording pulse of a pulse width corresponding to a length of a pit to be formed, said recording pulse generating means includes:
a first pulse generation circuit configured to generate a first pulse,
a second pulse generation circuit configured to generate a second pulse, and
a third pulse generation circuit configured to generate a third pulse,
wherein said recording pulse generating means includes a pulse combining mechanism configured to combine said first pulse, said second pulse, and said third pulse to form said recording pulse

Nakajo '806 discloses an optical disk recording apparatus for burning pits into an optical disc with a laser. Nakajo '806 teaches the use of a single recording signal input into a single recording signal modification circuit 26.² There is no teaching or suggestion in Nakajo '806 for a first pulse generation circuit, a second pulse generation circuit, or a third pulse generation circuit, as recited in Claim 1. Further, there is no teaching or suggestion in Nakajo '806 to combine multiple pulses to form a recording pulse, as recited in Claim 1.

Iijima describes a recording method for an optical disk wherein the recording pulses have a variable amplitude to prevent excessive heating of the disk. Figures 1-5 of Iijima describe the use of recording signals that are pulsed between one or more peak voltage levels and zero. Figure 4 of Iijima describes the use of a single pulsed signal that is varied between three different peak voltage levels (L_1 , L_2 , or L_{22}) and zero. There is no teaching or suggestion in Iijima for a first circuit for generating a first pulse, a second circuit for

²Nakajo '806, Figure 1.

generating a second pulse, and a third circuit for generating a third pulse, as recited in Claim

1. Further, there is no teaching or suggestion in Iijima to combine multiple pulses to form a recording pulse, as recited in Claim 1. Iijima simply teaches a single signal pulsed between one or more peak voltage levels and zero.

Since the cited references do not teach or suggest, alone or in combination, every element of Claim 1, Applicants respectfully submit that Claim 1 is patentable over the cited references.

Claims 2-11 are dependent from Claim 1, which Applicants respectfully submit is patentable. Thus Claims 2-11 are also believed to be patentable.

Amended independent Claim 12 recites similar elements to Claim 1. Applicants respectfully submit that Claim 12 is patentable over the cited references for the reasons discussed above with respect to Claim 1.

Claims 13-16 are dependent from Claim 12 which Applicants respectfully submit is patentable. Thus Claims 13-16 are also believed to be patentable.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)